

ADOPTED

SEP 18 1995

ORDINANCE NO. 31A-165

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS; ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, SECTION 20-212, PERMITTED USES; SECTION 20-213, USES PERMITTED BY SPECIAL USE PERMIT ONLY; SECTION 20-214, AREA REQUIREMENTS; AND SECTION 20-215, SETBACK REQUIREMENTS; IN ORDER TO CONFORM WITH STATE LEGISLATION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Zoning, is hereby amended and reordained by amending Section 20-2, Definitions; Section 20-212, Permitted uses; Section 20-213, Uses permitted by special use permit only; Section 20-214, Area requirements; and Section 20-215, Setback requirements.

Chapter 20. Zoning

Article I. In General

Section 20-2. Definitions.

Agriculture, general. The tilling of the soil, the raising of crops, orchards, horticulture, forestry, and gardening, including the keeping of animals and fowl *but not intensive agriculture as herein defined or the commercial slaughtering or processing of animals or poultry.*

Agriculture, intensive. *Those intensive agricultural operations commonly known as confinement operations where large numbers of animals or poultry are confined to a relatively small space such as hog,*

*veal and poultry pens or houses, feedlots for livestock and dairy farming operations. Any enclosure, pen or building for the concentrated confinement of livestock or poultry wherein more than 300 veal animals, slaughter or feeder cattle, 200 dairy cattle, 750 swine, 150 horses, 500 sheep, lambs, goats or similar animals, 5,500 turkeys, or 10,000 laying hens or broilers are confined or housed shall constitute intensive agriculture. Enclosed pasture or range where grass is maintained for at least ten months of the year or where animals are confined at no more than 15 adult animals per acre for no longer than 120 continuous days shall not constitute intensive agriculture.*

#### Article V. Districts

##### Division 2. General Agricultural District, A-1

###### Section 20-212. Permitted uses.

~~Agriculture, dairying, forestry, general farming, and specialized farming, including the keeping of horses, ponies and livestock, but not commercial livestock or poultry operations which require a special use permit.~~

*General agriculture, dairying, forestry, general farming, and specialized farming, including the keeping of horses, ponies and livestock, but not intensive agriculture as herein defined and not commercial slaughtering or processing of animals or poultry.*

Horse and pony farms of ~~less than 50 animals~~, (including the raising and keeping of horses),  
riding stables.

*Intensive agriculture as herein defined.*

*Silviculture.*

Section 20-213. Uses permitted by special use permit only.

~~Commercial livestock or poultry operations for more than 100 slaughter or feeder cattle, 70 dairy cattle,  
250 swine, 1,000 sheep, lambs, goats or similar animals, 50 horses, 10,000 chickens, or 5,500 turkeys or ducks.~~

~~Horse and pony farms with 50 or more animals.~~

Section 20-214. Area requirements.


- (a) **Minimum lot size.** The minimum lot size, except as otherwise specified herein, shall be:
- (1) one acre for nonresidential uses; and
  - (2) three acres for single-family dwellings;
  - (3) *a ratio of one acre of open land per seven horses, eight dairy cattle, 13 slaughter or feeder cattle, 33 swine, or 130 sheep shall be provided for each agricultural operation; and*

- (4) *20 acres for intensive agriculture.*
- a. *No more than 1000 veal, cattle, horses or similar animals or 3,000 sheep, lambs, goats or similar animals or 7,500 swine or 50,000 turkeys or 100,000 chickens shall be confined at any one site.*

Section 20-215. Setback requirements.

(a) Structures, *except those associated with intensive agricultural uses*, shall be located a minimum of 50 feet from any street right-of-way which is 50 feet or greater in width. If the street right-of-way is less than 50 feet in width, structures shall be located a minimum of 75 feet from the center line of the street; except that where the minimum lot area is three acres or more, the minimum setback shall be 75 feet from any street right-of-way which is 50 feet or greater in width and 100 feet from the center line of any street right-of-way less than 50 feet in width. *Devices for nutrient management plans, pens, and structures associated with intensive agricultural uses shall be 250 feet from any dwelling not owned by the operator of the use, all property lines not associated with the use, all public roads, and 1,000 feet from platted residential subdivisions, residentially zoned districts, areas designated for residential use on the comprehensive plan, schools, parks and playgrounds, recreation areas, public wells, water tanks and reservoirs.*


(b) All subdivisions platted and recorded prior to March 1, 1969, with building setback lines shown on their recorded plat will be allowed to adhere to these established setback lines.



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Perry M. DePue, Chairman  
Board of Supervisors

ATTEST:



Sanford B. Wanner  
Deputy Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
EDWARDS	AYE
MAGOON	AYE
TAYLOR	NAY
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 18th day of September 1995.